

BROOKS & KUSHMAN P.C.

Intellectual Property and Technology Related Causes

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Mark A. Cramer	Donald J. Harrington	Stephen D. Bush	Orrin S. Bir	Stephen J. Vetroque	Mark D. Chang, Ph.D.
Paul M. Burton	Paul M. Scheraga	George H. Blodgett	James H. Kallio	John J. Ignatowski	Stephen M. Mandel, Ph.D.
Robert C. J. Burke	Timothy D. Newman	Frederick M. McElroy	Hugo A. Dole	James W. Prosser	Jeremy J. Corbett
Bar J. LaFollette	John M. Nelson	John W. Sheridan	Richard E. Smith	Glenn D. Kuchala	Robert C. Jones
Harold M. Maloney	Jeddy M. Sarina	Elizabeth P. Jones	Cynthia M. Egan	Lawrence D. Almeida	William R. Bennett
Thomas A. Loney	Marie French Anglen	Robert C. Brandenburg	Mark E. Shustel		

March 2, 2000

Dr. Hans D. Boeters
BOETERS & BAUER
Bereitanger 15
D-81541 Munich
GERMANY

VIA FACSIMILE
ORIGINAL BY MAIL

July 28, 2000

Dear Mr. Conger:

We regret to say that we have never received your March 2, 2000 letter. Please file a petition of unintentional abandonment and pay the extension fees. Thank you very much for your assistance. Kind regards,

[Signature]
BOETERS & BAUER

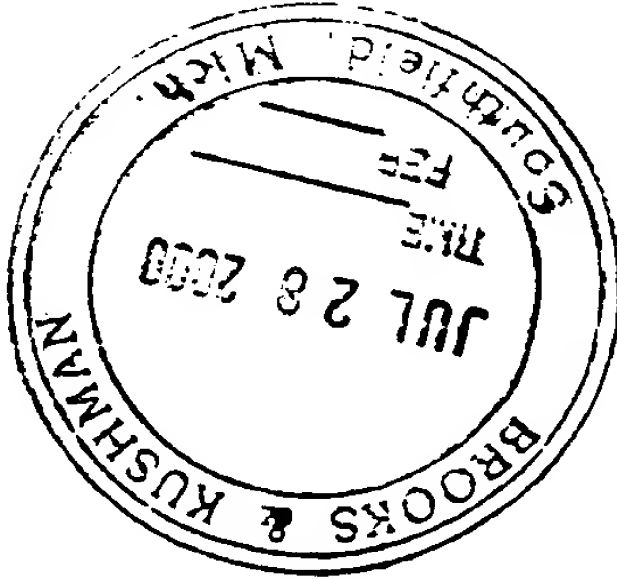
Re: National Phase In The United States
Corresponding to Patent Cooperation Treaty
Serial No. PCT/EP95/02722
Filed: 12 July 1995
Title: BIOLOGICALLY DEGRADABLE POLYESTER AND
WORKING MATERIAL CONSISTING THEREOF
Your Ref.: 8519 15 703 866
Our File: BOET 0103 PUSA

Dear Dr. Boeters:

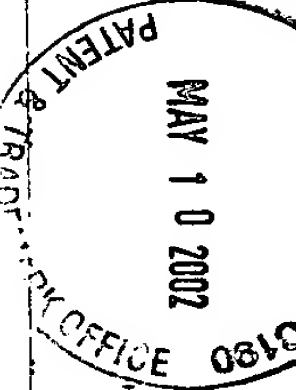
The two Declarations filed with this case, each lacking certain data regarding either or both of country of residence or citizenship, were held by the PCT Legal Office of the U.S.P.T.O. to be legally insufficient in their "Notification of Defective Response" dated June 30, 1997. In response, we argued that while each Declaration, standing alone, might be insufficient, the two Declarations together supplied all the necessary data. We also, at the same time, requested acknowledgment that the two Declarations were sufficient. However, we heard nothing from the Office until we submitted a Status Request on September 14, 1998. Following this Status Request, we were informed that a Notice of Abandonment was mailed on January 2, 1998. We obtained a fax copy from the Patent Office, and determined that it had been mailed to someone in Greece.

We disagree with the conclusion of the PCT legal branch that the two Declarations together are not sufficient, and also object to the procedure followed by the Patent Office. Accordingly, we filed a Petition for Revival of the application based on "unavoidable abandonment", since we were never notified, as requested in our response of July 8, 1997, that the Office disagreed with our conclusion that the two Declarations together were legally sufficient.

1000 TOWN CENTER, TWENTY-SECOND FLOOR, SOUTHFIELD, MICHIGAN 48076
TELEPHONE (248) 358-4400, FACSIMILE (248) 358-3051



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Applicant or Patentee: WHO WILL, ET AL.

MAY 10 2002

Attorney's

Serial or Patent No.: PCT/EP/02722

Docket No.

BOET 0103 PUSAFiled or Issued: July 12, 1996For: BIOLOGICALLY DEGRADABLE POLYESTER AND WORKING MATERIAL, CONSISTING THEREOF**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c)(2) - SMALL BUSINESS CONCERN)**

I hereby declare that I am

- [x] the owner of the small business concern identified below;
 [x] an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN GESSELLSCHAFT FÜR BIOTECHNOLOGISCHE FORSCHUNG mbH (GRF)ADDRESS OF CONCERN Mascheroder Weg 1, D-38124 Braunschweig, GERMANY

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.2-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled BIOLOGICALLY DEGRADABLE POLYESTER AND WORKING MATERIAL, CONSISTING THEREOF

By inventor(s)

described in

- [x] the specification filed herewith
 application PCT/EP/96/02722 filed July 12, 1996
 patent no. 199608

The rights held by the above-identified small business concern are exclusive.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Prof. Dr. G. Meese Dr. B. FrischmannTITLE OF PERSON OTHER THAN OWNER Scientific Director Administrative DirectorADDRESS OF PERSON SIGNING GRF Gesellschaft für Biotechnologische Forschung mbH
Mascheroder Weg 1, 38124 Braunschweig, Germany

SIGNATURE

DATE 06-03-1997Prof. Dr. G. MeeseDr. B. Frischmann



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Mr. William G. Conger		Assistant Commissioner for	
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1000 Town Center		BOX PCT	
Twenty-Second Floor		Washington, D.C. 20231	
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Label 11-B October 1995

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NAME OF
APPLICANT:

Uwe Witt, Rolf-Joachim Muller
and Wolf-Dieter Deckwer

INTF. OR
SERIAL NO.:

BOET 0103

89 Rec'd PCT/PTO 10 MAR 1997

DATE:

March 10, 1997

ATTY:

CONGER/Linda
Robb